

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

NORTHWEST ENVIRONMENTAL  
ADVOCATES,

Plaintiff (s),

v.

UNITED STATES ENVIRONMENTAL  
PROTECTION AGENCY,

Defendant (s).

CASE NO. 2:20-cv-01362-MJP

ORDER SETTING TRIAL  
DATE & RELATED DATES

BENCH TRIAL DATE	November 15, 2021
Deadline for joining additional parties	January 14, 2021
Deadline for filing amended pleadings	January 25, 2021
Reports from expert witness under FRCP 26(a)(2) due	April 19, 2021
All motions related to discovery must be filed by and noted on the motion calendar on the third Friday thereafter (see CR7(d))	May 19, 2021
Discovery completed by	June 18, 2021
All dispositive motions must be filed by and noted on the motion calendar on the fourth Friday thereafter (see CR7(d))	July 19, 2021
<b>Counsel are reminded of the requirement to provide courtesy copies of any motions with</b>	

1	<b>exhibits or other attachments exceeding 50 pages. Compliance with this requirement will facilitate timely consideration of your motion.</b>	
2		
3	All motions in limine must be filed by	
4	and noted on the motion calendar no earlier	October 12, 2021
5	than the third Friday thereafter and no later	
6	than the Friday before the pretrial conference.	
7	Agreed pretrial order due	November 2, 2021
8	Trial briefs and Proposed Findings of Fact	
9	and Conclusions of Law:	November 2, 2021
10	Pretrial conference	November 4, 2021
11		at 01:30 PM
12	Length of Bench Trial	

13 These dates are set at the direction of the Court after reviewing the joint  
14 status report and discovery plan submitted by the parties. All other dates are  
15 specified in the Local Civil Rules. If any of the dates identified in this Order or  
16 the Local Civil Rules fall on a weekend or federal holiday, the act or event shall  
17 be performed on the next business day. These are firm dates that can be changed  
18 only by order of the Court, not by agreement of counsel or the parties. The  
19 Court will alter these dates only upon good cause shown: failure to complete  
20 discovery within the time allowed is not recognized as good cause.

21 If the trial date assigned to this matter creates an irreconcilable conflict,  
22 counsel must notify the Deputy Clerk, Grant Cogswell, in writing within 10  
23 days of the date of this Order and must set forth the exact nature of the conflict.  
24 A failure to do so will be deemed a waiver. Counsel must be prepared to begin  
25 trial on the date scheduled, but it should be understood that the trial may have  
26 to await the completion of other cases.

#### **COOPERATION:**

27 As required by CR 37(a), all discovery matters are to be resolved by  
28 agreement if possible. Counsel are further directed to cooperate in preparing the  
29 final pretrial order in the format required by CR 16.1, except as ordered below.

**EXHIBITS:**

The original and one copy of the trial exhibits are to be delivered to chambers four days before the trial date. Each exhibit shall be clearly marked. Exhibit tags are available in the Clerk's Office. The Court hereby alters the CR 16.1 procedure for numbering exhibits: plaintiff's exhibits shall be numbered consecutively beginning with 1; defendant's exhibits shall be numbered consecutively beginning with the next number series not used by plaintiff.

Duplicate documents shall not be listed twice: once a party has identified an exhibit in the pretrial order, any party may use it. Each set of exhibits shall be submitted in individual file folders with appropriately numbered tabs.

**SETTLEMENT:**

Should this case settle, counsel shall notify Grant Cogswell as soon as possible at 206-370-8518. Pursuant to GR 3(b), an attorney who fails to give the Deputy Clerk prompt notice of settlement may be subject to such discipline as the Court deems appropriate.

DATED: The 17th of December 2020.

s/ Marsha J. Pechman  
Honorable Marsha J. Pechman  
United States District Judge